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TAGS: [AORC](#) [PREL](#) [ICJ](#) [KV](#) [SP](#)

SUBJECT: SPAIN ON KOSOVO: TRAPPED IN ITS OWN RHETORIC

REF: STATE 11928

Classified By: Charge d'Affaires Arnold A. Chacon, Reasons 1.4(b),(d).

¶1. (C) The Charge d'Affaires met February 12 with Spanish MFA DG for non-EU Europe and North America Luis Felipe Fernandez de la Pena. Fernandez de la Pena (who served as Ambassador to Croatia and Slovenia) explained at length Spain's position on Kosovo. As the Spanish always do, he stressed that the position is "principled," based on respect for international law and concern over the precedent a unilateral declaration of independence set. He claimed the Georgian FM had told them the Kosovo example encouraged Russia last summer and added it was contributing to unrest in Vojvodina now. He said Spain's position was also one of "constructive dissent" and laid great emphasis on the fact that Spain was playing a positive role by trying to keep Serbia on the right path: focused on integration with Europe. He noted Spain was also helping with countries such as Bosnia and Herzegovina and Croatia. He said Bosnia and Herzegovina was seeking Spanish mentoring for its EU bid. He also underscored Spain's continued participation in KFOR. He said Spain's actions in filing an ICJ brief in support of Serbia and opposing efforts to assist Kosovo in the IMF were consistent with Spain's well-known position and implied they did little real harm to U.S. efforts to support Kosovo. He also suggested that Spain had to support Serbia's ICJ petition or risk undermining its own position on Gibraltar. Despite all this, Fernandez de la Pena stressed repeatedly that Spain did not want Kosovo to become a stumbling block on the way to better relations with the U.S.

¶2. (C) Drawing on reftel, the CDA rebutted the substance of Fernandez de la Pena's arguments regarding Kosovo and then urged that Spain focus on two key points: U.S. support for Kosovo's independence was not going to change, and Spain's insistence on taking so-called consistent positions in every forum and at every opportunity was indeed interfering with efforts to focus on the positive possibilities inherent in the U.S.-Spain bilateral relationship. Fernandez de la Pena argued that the U.S. did not see the bigger picture of what Spain was doing to promote stability in the region. He urged that we keep the channels of communication open on this issue and offered a Spanish briefing for Administration officials in Washington. In this regard he said the meeting FM Moratinos had requested with the Secretary would be helpful.

¶3. (C) Comment: Fernandez de la Pena had nothing to say the U.S. has not heard before. What was new was the note of concern about the collateral damage being done to the relationship. Spain's problem now is that it has gone so far out on the limb of opposition to Kosovo's independence that it will find it difficult to climb down. Moreover, it may be that Spain, despite all assurances to the contrary, is clinging to the hope that the new U.S. Administration will, if not change the direction of U.S. policy on Kosovo, at least view Spain's position in a more charitable light. If the Secretary meets with Moratinos, that would be an

important opportunity to let Spain know that while we do not expect them to publicly recant anytime soon, we would appreciate it if they would more carefully weigh the costs of reflexively opposing every effort to consolidate international support for Kosovo. A year after the declaration of independence, this is not a burning issue for the Spanish public, so the argument that they have act consistently in fora such as the ICJ or IMF rings hollow to us. It might also be useful if Spain heard from other European countries which have recognized Kosovo.

CHACON